

RECORDATION NO. 21357-A FILED

SEP 05 '06

8:42 PM

SURFACE TRANSPORTATION BOARD

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ELIAS C. ALVORD (1942)  
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OF COUNSEL  
URBAN A. LESTER

September 5, 2006

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
Washington, D.C. 20423

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Notice of Termination, dated as of August 29, 2006, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document is a full release and relates to the Memorandum of Railcar Lease Agreement previously filed with the Board under Recordation Number 21357.

The name and address of the party to the enclosed document are:

Lessor:                      Bombardier Capital Rail Inc.  
                                    (f/k/a NorRail, Inc.)  
                                    12735 Gran Bay Parkway West  
                                    Suite 1000  
                                    Jacksonville, FL 32258

[Lessee:                      Koch Fisher Mills, LLC  
                                    3235 16th Ave  
                                    Seattle, WA]

Mr. Vernon A. Williams  
September 5, 2006  
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A description of the railroad equipment covered by the enclosed document  
is:

5 railcars RELEASED: NRLX 56050 – NRLX 56054.

A short summary of the document to appear in the index is:

Notice of Termination.

Also enclosed is a check in the amount of \$34.00 payable to the order of  
the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the  
undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Alvord', with a stylized flourish at the end.

Robert W. Alvord

RWA/sem  
Enclosures

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**NOTICE OF TERMINATION**

The undersigned, BOMBARDIER CAPITAL RAIL INC. (formerly NorRail, Inc.), Lessor, publishes this notice that the instrument described in Exhibit A attached hereto has been terminated and shall be considered terminated of record as to all railcars described as being subject thereto.

IN WITNESS WHEREOF, BOMBARDIER CAPITAL RAIL INC. has caused this instrument to be executed by its officer thereunto duly authorized this 29th day of August, 2006.

**BOMBARDIER CAPITAL RAIL INC.**  
(f/k/a NorRail, Inc.), as Lessor

By: Catherine Hawks  
Catherine Hawks  
Senior Attorney

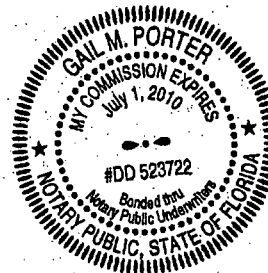
STATE OF FLORIDA     )  
                                  )  
COUNTY OF DUVAL    )     ss.

On this 29th day of August, 2006, before me appeared **Catherine Hawks**, to me personally known, who, being duly sworn did say that she is the Senior Attorney of BOMBARDIER CAPITAL RAIL INC., and that said instrument was signed on behalf said corporation by authority of its board of directors and she acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Gail M. Porter  
NOTARY PUBLIC

My Commission Expires: 7-1-2010



## **EXHIBIT A**

### **Description of Instrument**

Memorandum of Railcar Lease Agreement from Bombardier Capital Rail Inc. (formerly known as NorRail, Inc.), Lessor, to Koch Fisher Mills, LLC, Lessee, dated as of January 30, 1998 and filed with the Surface Transportation Board on April 28, 1998 at 3:55 p.m. under Recordation Number 21357.

### **Railcars**

NRLX056050 through NRLX056054, only

**CERTIFICATION**

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: \_\_\_\_\_

9/5/06



\_\_\_\_\_  
Robert W. Alvord